

FILED

AUG 30 2006

**RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA**

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

PATRICK M. McCOLLUM, et al.,

No. C 04-03339 CRB

Plaintiffs,

ORDER

v.


THE STATE OF CALIFORNIA, et al.,

Defendants.

The Court is in receipt of a letter filed August 21, 2006 from David W. Ducus, an inmate who represents that he is a named plaintiff in this action. Plaintiffs' counsel are directed to respond to Mr. Ducus's concerns. The letter is attached to this Order, which shall be mailed to counsel and Mr. Ducus.

IT IS SO ORDERED.

Dated: August 30, 2006



**CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE**

1 Donald W. Dacus
2 E-51380 140-1332
3 P.O. Box 9
4 Arenal, CA 93204

FILED

AUG 21 2006

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

5
6 August 19, 2006

7
8 The Honorable Charles R. Breyer
9 United States District Court For the Northern District
10 United States Courthouse
11 450 Golden Gate Avenue
12 San Francisco, CA 94102-3483

13
14 RE: Case Number: C-04-3339-CRB

15
16 Dear Judge Breyer;

17
18 I am a named plaintiff in Case Number: C-04-
19 3339-CRB (McCollum v. State of California) which is
20 being heard in your courtroom.

21
22 It is my understanding that a hearing was held on
23 July 7, 2006, concerning this matter. Furthermore, it is my
24 understanding that Fraudulent and Forged document with
25 my name on them have been presented as evidence in an
26 effort to have the above mentioned case dismissed.

1 I say this is my understanding because even though I
2 was notified of the hearing being scheduled I have no
3 knowledge of it actually taking place or the outcome of it.
4 Furthermore, I have not been provided with a complete
5 record of this above mentioned case.

6
7 I have requested notice from plaintiff's attorney(s)
8 and a copy of the record along with the forged documents. My
9 requests are to no avail.

10
11 So, I turn to you - Since I am indigent and without
12 means could you provide me with a complete record of Case
13 Number: C-04-3339-CRB (McCollum v. State of California)
14 including transcripts, motions and exhibits of both parties;
15 as well as inform me as to the outcome of the July 7th hearing?

16
17 If you are unwilling to do this and the plaintiff's
18 attorney(s) appear unwilling to do so, I must ask, "What is
19 my remedy?"

20
21 Thank you for your assistance in this matter.

22
23 Sincerely,

24 Without Prejudice

25 

26 Donald W. Decus, E-51380
27
28

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MCCOLLUM,

Plaintiff,

v.

THE STATE OF CALIFORNIA et al,

Defendant.

Case Number: CV04-03339 CRB

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 31, 2006, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

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Dated: August 31, 2006

Richard W. Wieking, Clerk
By: Barbara Espinoza, Deputy Clerk